IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13950 of 2000

Between:

Sri M.S.Rao, S/o. Joseph,
Cherlapalli Central Jail, Moula-Ali,
Ranga Reddy District.

..... PETITIONER

AND

1 The Supertendent of Prisons, Cherlapalli,
Central Jail, Moula Ali, Ranga Reddy District.
2 The Supdt. of Police,
Ranga Reddy District.
3 The Inspector General of Prisons, Govt. of A.P.,
Hyderabad.
4 The Director General of Police, Govt. of A.P.,
Hyderabad.
5 The Secretary, Govt. of A.P.
Home (Prisons) Dept., Secretariat,
Hyderabad.
6 The Secretary, Govt of A.P., Police Department,
Secretariat, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order, direction, or a writ, more particularly one in the nature of Writ of

Mandamus, to declare the action of Jail authorities of Cherlapalli Central Jail, R.R.Dist., in harassing mentally the petitioner herein, who is a convict prisoner, CT No.569 in Cherla palli Central Jail, Moulali as follows viz 1) abusing him on showing a copy of his letter dated 06/06/2000 addressed to the Hon'ble Chief Justice, High Court of A.P., 2) Directing the Escort police to hand cuff him while taking to the court, 3) not taking any action for his heart-pain caused on 20/07/2000 even though he has intimated the same to the Jail authorities, 4) producing him before the Court by the escort police inspite of his request not to produce him before Court as he was not feeling well, 5)Not sending his petition to the authorities concerned as illegal, arbitrary and to pass appropriate orders directing the concerned authorities not to hand cuff the petitioner while taking him to court and further direct the Asst. Sessions Court, Kothapeta, R.R.Dist., and to send a copy of Judgment in Sc.No.218 in the interest of justice and to pass such other order or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.M.S.RAO

Counsel for the Respondent Nos. 1 to 6: GP FOR HOME

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

A written complaint was received from one M.S. Rao, Convict Prisoner on 20.7.2000. He has made grievance as regards the conduct of the jail authorities of which, notice was issued to respondents.

Sri B. Sunil Kumar, Superintendent, Central Prison, Cherlapalli, in his affidavit in reply denied the material allegations and stated that the convict prisoner was stated to have been received by transfer on 9.4.2000 as per the orders of the Inspector General of Prisons and Correctional Services, Hyderabad. It is stated that the petitioner is involved in four other cases and is facing trial before the 1st Additional Sessions Judge, Gulbarga and the Judicial First Class Magistrate, Sedam and escort is being provided to him and if escort is not provided, he will make lot of hue and cry not to produce him before the said Courts. It is stated that the petitioner had to be referred to Prison Hospital on 21.7.2000 since he had complained of heart pain and thereafter he was transferred to Central Prison, Hyderabad.

Eversince counter was filed, there has been no complaint from the petitioner. We see no ground to keep the petition pending and we close the proceedings accordingly.

_____ DEVINDER GUPTA, CJ

Date: 29th November, 2004

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G. ROHINI, J

Pnb

To

1 The Superintendent of Prisons, Cherlapalli,
Central Jail, Moula Ali, Ranga Reddy District.
2 The Superintendent of Police,
Ranga Reddy District.
3 The Inspector General of Prisons, Govt. of A.P.,
Hyderabad.
4 The Director General of Police, Govt. of A.P.,
Hyderabad.
5 The Secretary, Govt. of A.P.
Home (Prisons) Dept., Secretariat,
Hyderabad.
6 The Secretary,Govt of A.P., Police Department,
Secretariat, Hyderabad.

7 Two C.Cs. to Government Pleader for Home, High Court Buildings,

Hyderabad.

8 Two C.D. copies